

## DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **Sphingolipid Derivatives And Their Methods Of Use**

the specification of which (check one)

  X   is attached hereto  
was filed on Februray 12, 1999  
as application Serial No. 09/249,211  
and was amended on: \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability and examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority  
Claimed

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status

60/074,536

February 12, 1998

Provisional

As named inventor, I hereby appoint the following attorney(s) or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Sherry M. Knowles, Reg. No. 33,052  
Jacqueline Haley, Reg. No. 41,457  
Curtis L. Doster, Reg. No. 41,714

Send Correspondence to: Sherry M. Knowles, Esq.  
King & Spalding  
191 Peachtree Street  
Atlanta, Georgia 30303-1763

Direct telephone calls to: Sherry M. Knowles (404) 572-3541

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Dennis C. Liotta

Inventor's signature *Dennis Liotta* Date Mar. 3, 1997

Residence 251 Montrose Drive, McDonough, Georgia 30253

Citizenship U.S.A.

Post Office Address Same as above

Full name of second joint inventor Alfred H. Merrill, Jr.

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 1021 Bramwell Lane, Stone Mountain, Georgia, 30083

Citizenship U.S.A.

Post Office Address Same as above

Full name of third joint inventor Thomas E. Keane

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 5378 Dunwoody Club Creek, Dunwoody, Georgia 30360

Citizenship Ireland

Post Office Address Same as above

Full name of fourth joint inventor Kapil N. Bhalla

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 3111 Gables Way, Atlanta, Georgia 30329

Citizenship U.S.A.

Post Office Address Same as above

Send Correspondence to: Sherry M. Knowles, Esq.  
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191 Peachtree Street  
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Full name of sole or first inventor Dennis C. Liotta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 251 Montrose Drive, McDonough, Georgia 30253

Citizenship U.S.A.

Post Office Address Same as above

Full name of second joint inventor Alfred H. Merrill, Jr.

Inventor's signature Alfred H. Merrill Date 4-12-99

Residence 1495 Carnaby Ct., Dunwoody, GA 30338  
~~1021 Bramwell Lane, Stone Mountain, Georgia, 30083~~

Citizenship U.S.A.

Post Office Address Same as above

Full name of third joint inventor Thomas E. Keane

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 5378 Dunwoody Club Creek, Dunwoody, Georgia 30360

Citizenship Ireland

Post Office Address Same as above

Full name of fourth joint inventor Kapil N. Bhalla

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 3111 Gables Way, Atlanta, Georgia 30329

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---

Full name of sole or first inventor Dennis C. Liotta

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 251 Montrose Drive, McDonough, Georgia 30253

Citizenship U.S.A.

Post Office Address Same as above

Full name of second joint inventor Alfred H. Merrill, Jr.

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 1021 Bramwell Lane, Stone Mountain, Georgia, 30083

Citizenship U.S.A.

Post Office Address Same as above

Full name of third joint inventor Thomas E. Keane

Inventor's signature Thomas E. Keane Date 2/24/99

Residence 5378 Dunwoody Club Creek, Dunwoody, Georgia 30360

Citizenship Ireland

Post Office Address Same as above

Full name of fourth joint inventor Kapil N. Bhalla

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence 3111 Gables Way, Atlanta, Georgia 30329

Citizenship U.S.A.

Post Office Address Same as above

Full name of fifth joint inventor Eva M Schmelz

Inventor's signature Eva M Schmelz Date 3-1-99

Residence 3040 G Clairmont Road, Atlanta, GA 30322

Citizenship Germany

Post Office Address Same as above

Full name of sixth joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address Same as above

Full name of seventh joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address Same as above

Full name of eighth joint inventor \_\_\_\_\_

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_

Citizenship \_\_\_\_\_

Post Office Address Same as above



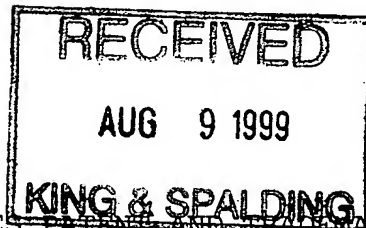
**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 28, 1999

SHERRY M. KNOWLES, ESQ.  
191 PEACHTREE STREET  
ATLANTA, GA 30303-1763

PTAS



\*101050703A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/24/1999

REEL/FRAME: 009975/0905  
NUMBER OF PAGES: 9

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LIOTTA, DENNIS C.

DOC DATE: 03/17/1999

ASSIGNOR:

MERRILL, ALFRED H., JR.

DOC DATE: 01/21/1999

ASSIGNOR:

KEANE, THOMAS E.

DOC DATE: 12/22/1998

ASSIGNOR:

SCHMELZ, EVA M.

DOC DATE: 02/09/1999

ASSIGNEE:

EMORY UNIVERSITY  
1380 S. OXFORD ROAD  
ATLANTA, GEORGIA 30322

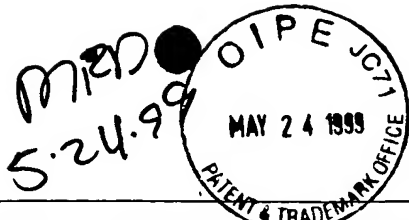
SERIAL NUMBER: 09249211  
PATENT NUMBER:

FILING DATE: 02/12/1999  
ISSUE DATE:

cket No. 18085.105233 (Springolipid)  
Attorney mt  
Due Date NDB  
Date Docketed 8/11/1999

009975/0905 PAGE 2

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



05-28-1999



101050703

FORM-PTO-1595  
1-31-92

TRANSMITTAL OF DOCUMENT FOR RECORDATION  
PATENTS ONLY

Atty. Docket 18085.105233

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Dennis C. Liotta,  
Alfred H. Merrill, Jr., Thomas E. Keane, Eva M.  
Schmelz  
Additional name(s) of conveying party(ies) attached?  
☐ Yes ☒ No

2. Name and address of receiving party(ies):  
Name: Emory University  
Foreign Address:

Domestic Address: 1380 S. Oxford Road

3. Nature of Conveyance:  
☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
Other \_\_\_\_\_  
Execution Date: 3/17/99, 1/21/99, 12/22/98, 2/9/99

City: Atlanta State: GA ZIP: 30322

Additional name(s) & address(es) attached?  
☐ Yes ☒ No

4. Application number(s) or patent numbers(s):  
If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)  
09/249,211

B Patent Registration No. (s)

Additional numbers attached ? ☐ Yes ☒ No

5. Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Sherry M. Knowles, Esq.

191 Peachtree Street

Atlanta, Georgia 30303-1763

Telephone No.: 404- 572- 4600

Facsimile No.: 404 572-5100

6. Number of applications and patents involved:

one

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number (Please charge any  
deficiencies or credit any overpayments)

11-0980

(Attach duplicate copy of this page if paying by deposit account):

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy  
of the original document.*

Jacqueline Haley

Name of Person Signing

Jacqueline Haley

Signature

May 21, 1999

Date

Total number of pages comprising cover sheet: 9

05/25/1999 ZABDALLA 00000057 09249211

03 FC:581

( 40.00 DP )



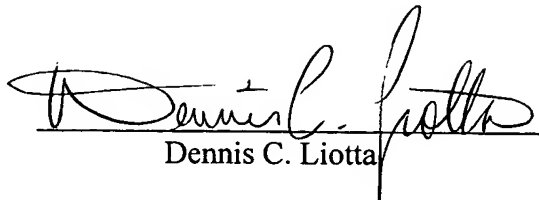
## ASSIGNMENT

WHEREAS, WE, DENNIS C. LIOTTA, ALFRED H. MERRILL, JR., THOMAS E. KEANE, EVA M. SCHMELZ AND KAPIL N. BHALLA have invented certain improvements in SPHINGOLIPID DERIVATIVES AND THEIR METHODS OF USE for which we have executed United States patent application 09/249,211 on February 12, 1999; and

WHEREAS, EMORY UNIVERSITY, a Georgia corporation having an office at 1380 S. Oxford Road, Atlanta, Georgia 30322, desires to purchase same;

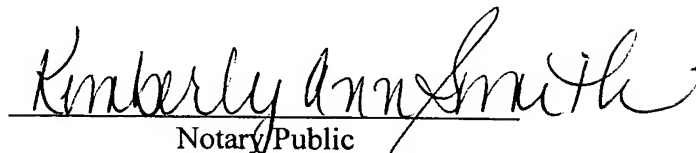
NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by EMORY UNIVERSITY, the receipt and sufficiency of which are hereby acknowledged, I, DENNIS C. LIOTTA, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto EMORY UNIVERSITY, in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12 day of March, 1999.

  
Dennis C. Liotta

STATE OF GEORGIA       )  
                                  )  
COUNTY OF               )       ss.

On this 17<sup>th</sup> day of March, 1999, before me, a notary public, came \_\_\_\_\_, to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_  
Notary Public, Walton County, Georgia  
My Commission Expires Jan. 22, 2003

## ASSIGNMENT

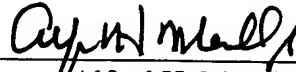
WHEREAS, WE, DENNIS C. LIOTTA, ALFRED H. MERRILL, JR., THOMAS E. KEANE, AND KAPIL N. BHALLA have invented certain improvements in SPHINGOLIPID DERIVATIVES AND THEIR METHODS OF USE for which we have executed United States provisional application 60/074,536 on February 12, 1998; and

WHEREAS, EMORY UNIVERSITY., a Georgia corporation having an office at 1380 S. Oxford Road, Atlanta, Georgia 30322, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by EMORY UNIVERSITY, the receipt and sufficiency of which are hereby acknowledged, I, ALFRED H. MERRILL, JR., have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto EMORY UNIVERSITY, in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st day of

January, 1999

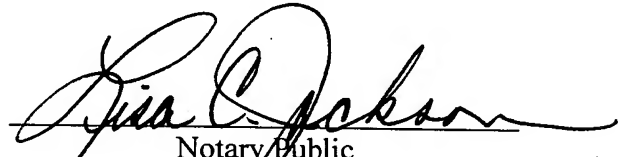
  
\_\_\_\_\_  
Alfred H. Merrill, Jr.,

STATE OF GEORGIA        )

COUNTY OF Gwinnett )

ss.

On this 21 day of January, 1999, before me, a notary public, came Alfred H. Merrill, Jr., to me known and known to be the individual described in and who executed the foregoing assignment, and he duly acknowledged the same to be his free act and deed.

  
\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: My Commission Expires July 14, 2001 Notary Public, Gwinnett County, Georgia

## ASSIGNMENT

WHEREAS, WE, DENNIS C. LIOTTA, ALFRED H. MERRILL, JR., THOMAS E. KEANE, AND KAPIL N. BHALLA have invented certain improvements in SPHINGOLIPID DERIVATIVES AND THEIR METHODS OF USE for which we have executed United States provisional application 60/074,536 on February 12, 1998; and

WHEREAS, EMORY UNIVERSITY., a Georgia corporation having an office at 1380 S. Oxford Road, Atlanta, Georgia 30322, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration paid by EMORY UNIVERSITY, the receipt and sufficiency of which are hereby acknowledged, I, THOMAS E. KEANE, have sold, assigned, transferred and conveyed and by these presents do hereby sell, assign, transfer and convey unto EMORY UNIVERSITY, in and for the United States and its territories and for foreign countries, the entire right, title and interest in and to said provisional application and said application for United States Letters Patent, in and to the invention therein set forth and in and to any patent which may issue on said application for United States Letters Patent or any reissue, renewal, division, continuation or continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration, any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this <sup>stgk</sup> 22 day of  
December, 1998.

Tom Keane  
Thomas E. Keane

STATE OF GEORGIA       )  
                                  )  
COUNTY OF               )       ss.

On this 22<sup>nd</sup> day of December, 1998 before me, a notary public, came  
Thomas Keane, to me known and known to be the individual described in and  
who executed the foregoing assignment, and he duly acknowledged the same to be his free act  
and deed.

Elizabeth J. Bell  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

Notary Public, DeKalb County, Georgia  
My Commission Expires June 17, 2001

ASSIGNMENT

WHEREAS, WE, DENNIS C. LIOTTA, ALFRED H. MERRILL, JR., THOMAS E. ~~SCHMETZ~~ / *EMS* 2-9-99  
KEANE, EVA M. ~~SCHMETZ~~ AND KAPIL N. BHALLA have invented certain improvements  
in SPHINGOLIPID DERIVATIVES AND THEIR METHODS OF USE for which we have executed  
United States provisional application 60/074,536 on February 12, 1998; and

WHEREAS, EMORY UNIVERSITY., a Georgia corporation having an office at 1380 S.  
Oxford Road, Atlanta, Georgia 30322, desires to purchase same;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00) and other good  
and valuable consideration paid by EMORY UNIVERSITY, the receipt and sufficiency of which  
are hereby acknowledged, I, EVA M. ~~SCHMETZ~~ / *EMS*, have sold, assigned, transferred and conveyed  
and by these presents do hereby sell, assign, transfer and convey unto EMORY UNIVERSITY,  
in and for the United States and its territories and for foreign countries, the entire right, title and  
interest in and to said provisional application and said application for United States Letters  
Patent, in and to the invention therein set forth and in and to any patent which may issue on said  
application for United States Letters Patent or any reissue, renewal, division, continuation or  
continuation-in-part thereof; and I hereby bind myself, my heirs, legal representatives,  
administrators and assigns properly to execute without further consideration, any and all  
applications, petitions, oaths and assignments or other papers and instruments which may be  
necessary in order to carry into full force and effect the sale, assignment, transfer and conveyance  
hereby made or intended to be made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9 day of  
FEBRUARY, 1999.

Eva M. Schmetz

EVA M. SCHMETZ  
SCHMETZ / ENS

STATE OF GEORGIA       )  
                                      )  
COUNTY OF Gwinnett    )       ss.

On this 9<sup>th</sup> day of February, 1999, before me, a notary public, came  
EVA M. Schmetz, to me known and known to be the individual described in and  
who executed the foregoing assignment, and he duly acknowledged the same to be his free act  
and deed.

Lisa C. Jackson  
Notary Public

(SEAL)

My commission expires: Notary Public, Gwinnett County, Georgia  
My Commission Expires July 14, 2001

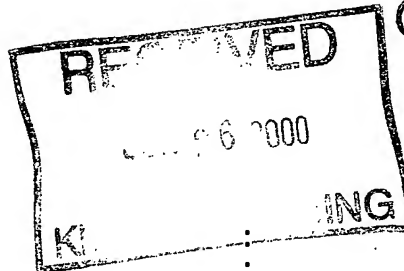




UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER SECRETARY OF COMMERCE FOR  
INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT  
AND TRADEMARK OFFICE  
Washington, D.C. 20231

Paper No. 8

SHERRY M. KNOWLES  
KING AND SPALDING  
191 PEACHTREE STREET  
ATLANTA, GA 30303-1763



COPY MAILED

JUN 22 2000

SPECIAL PROGRAMS OFFICE  
DAC FOR PATENTS

In re Application of  
Liotta, et al.  
Application No. 09/249,211  
Filed: February 12, 1999  
Attorney Docket No. 18085.105233  
For: Sphingolipid Derivatives And Their  
Methods Of Use

: DECISION ACCORDING  
: STATUS UNDER 37 CFR 1.47(a)  
:  
:

This is in response to the petition under 37 CFR 1.47(a), filed May 24, 1999.

The petition is granted.

Petitioner has shown that Kapil N. Bhalla, the non-signing inventor, cannot be located or has refused to join in the filing of the above-identified application after having been presented with the complete application papers. Specifically, the declaration of facts of Jacqueline Haley, agent of record, established that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This file is being forwarded to the Office of Initial Patent Examination for further processing of the application.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Christina T. Tartera at (703) 306-5589.

Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

**Docketing  
Not Needed**



UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER SECRETARY OF COMMERCE FOR  
INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT  
AND TRADEMARK OFFICE  
Washington, D.C. 20231

KAPIL N. BHALLA  
3111 GABLES WAY  
ATLANTA, GA 30329

**COPY MAILED**

JUN 22 2000

SPECIAL PROGRAMS OFFICE  
DAC FOR PATENTS

In re Application of  
Liotta, et al.  
Application No. 09/249,211  
Filed: February 12, 1999  
Attorney Docket No. 18085.105233  
For: Sphingolipid Derivatives And Their  
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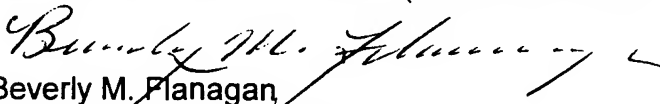
LETTER

Dear Dr. Bhalla:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Christina T. Tartera at (703) 306-5589. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

  
Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects

KING AND SPALDING  
191 PEACHTREE STREET  
ATLANTA, GA 30303-1763

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis C. Liotta, et al.

Serial No.: 09/249,211

Filed: February 12, 1999

For: Sphingolipid Derivatives and Their Methods of Use

Assistant Commissioner for Patents  
Washington, DC 20231

Declaration of Jacqueline Haley

Sir:

1. My name is Jacqueline Haley. I am an agent of record for the above-identified application.

2. I sent a letter to Nancy Wilkerson, Office of Sponsored Research, Emory University, on February 16, 1999 requesting execution of Patent Declaration by the named inventors of the above-identified application. I sent each of the inventors, including Kapil Bhalla, an individual courtesy copy of this letter. Dr. Bhalla's letter was sent to his last known home address, 3111 Gables Way, Atlanta, Georgia, 30329. A copy of this letter is attached as Attachment A.

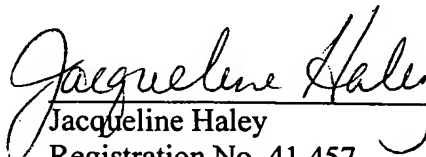
3. I received responses from Ms. Wilkerson and each of the individual inventors, with the exception of Dr. Bhalla.

4. I discussed Dr. Bhalla's missing declaration with Dennis C. Liotta, a co-inventor and Vice President of Research for Emory University. Dr. Liotta informed me that Dr. Bhalla is no longer on staff at Emory University. Dr. Liotta has personally attempted to contact Dr. Bhalla at his new place of employment, the University of Miami, via telephone and via e-mail. The telephone number Dr. Liotta used to attempt to contact Dr. Bhalla is 305-243-5907; the e-mail

address is kbhalla@med.miami.edu. After Dr. Liotta's attempts to contact Dr. Bhalla, we still have not received an executed declaration from him.

5. I declare that all statements made herein of my own knowledge are true and that all statements made herein of my own knowledge are believed to be true. These statements are made with the knowledge that willful false statements are punishable by fine or imprisonment under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

May 21, 1999  
Date

  
Jacqueline Haley  
Registration No. 41,457

King & Spalding  
191 Peachtree Street  
Atlanta, Georgia 30303  
Telephone: 404-572-3478  
Facsimile: 404-572-5145

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dennis C. Liotta, et al.

Serial No.: 09/249,211

Filed: February 12, 1999

For: Sphingolipid Derivatives and Their Methods of Use

Assistant Commissioner for Patents  
Washington, DC 20231

**Petition Under 37 CFR 1.47(a)**


Sir:

A Notice of Missing Parts was mailed on March 3, 1999 requesting an executed Oath of the Inventors as required under 37 C.F.R. §1.63. A copy of the Notice is enclosed.

Dennis C. Liotta, et al., through the undersigned agent, petition the Assistant Commissioner for Patents to accept this application for prosecution without the oath of co-inventor Kapil N. Bhalla. Enclosed is the required Petition fee of \$130.00 under 37 C.F.R. §1.17(h), the executed oath of joint inventors Dennis C. Liotta, Alfred H. Merrill, Jr., Thomas E. Keane and Eva M. Schmelz, and proof of pertinent facts relating to this Petition, as required by 37 C.F.R. §1.47.

If this fee is insufficient, please charge Deposit Account No. 11-0980.

Respectfully submitted,

  
Jacqueline Haley  
Registration No. 41,457

King & Spalding  
191 Peachtree Street  
Atlanta, GA 30303